

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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96 BROADWAY, LLC, et al.,

Plaintiffs,

-vs-

07 Civ. 6689 (SCR)  
ECF Case

THE CITY OF NEWBURGH, et al.,

Defendants.

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**BERGSTEIN AFFIRMATION IN RESPONSE TO PLAINTIFFS' MOTION FOR  
ENLARGEMENT OF TIME TO RESPOND TO MOTION TO DISMISS COMPLAINT**

STEPHEN BERGSTEIN, having been duly sworn, deposes and states:

1. This firm represents defendant Michael Gabor in the above-styled matter. Pro se plaintiff Douglas Dollinger is seeking an enlargement of time to file his papers in opposition to Gabor's motion to dismiss the Complaint.
2. I have no objection to Dollinger's request to file his opposition papers by December 31, 2007. However, through this affirmation, I am respectfully requesting until January 21, 2008 to file our reply papers. I make this request in light of a busy litigation schedule over the first two weeks of January 2008.

Dated: December 17, 2007

S/  
STEPHEN BERGSTEIN